

### **REMARKS**

The examiner has objected to drawing figures 1-3. Replacement sheets are enclosed.

The specification has been amended to make note of the trademarks.

The examiner has rejected claims 1-2, 4, 6, 8-22, 24, 26 and 28-34 under 35 U.S.C. 103 over Wiedener, et al in view of Rohrbach, et al. It is respectfully asserted that this ground of rejection is not well taken. The invention provides:

1. A composite textile article which comprises:

- a) a sheet of a central textile fabric having a front side and a rear side; said sheet of central textile fabric being water vapor permeable, and which sheet of central textile fabric comprises a plurality of fibers having semi-opened micro-cavities; and which fibers have been impregnated with at least one biological and/or chemical decontamination reagent in an amount sufficient to chemically modify, neutralize and/or decontaminate chemical and/or biological contaminants;
- b) a pair of sheets of outer textile fabrics, one of the sheets of outer textile fabrics positioned on the front side of the sheet of central textile fabric and the other sheet of outer textile fabric positioned on the rear side of the sheet of central textile fabric; each sheet of outer textile fabric being water vapor permeable;
- c) the sheet of central textile fabric and the pair of sheets of outer textile fabrics being attached together via a sealed hem around a perimeter of the sheet of central textile fabric and the pair of sheets of outer textile fabrics,

which hem is sealed such that it prevents the at least one biological and/or chemical decontamination reagent from passing through the hem.

The examiner is correct that the primary reference to Wiedener, et al discloses a compose textile article comprising a central textile fabric and a pair of sheets of outer textile fabrics, one of the sheets of outer textile fabrics positioned on the front side of the sheet of central textile fabric and the other sheet of outer textile fabric positioned on the rear side of the sheet of central textile fabric. The Wiedener, et al article finds use for deterring the passage of chemical and biological substances. Although both the instant invention and that of Wiedener are in the same general field of protection from biological contaminants, the inventions are quite different. Wiedener, et al produce garments which physically deter the displacement of chemical and biological contaminants through their compose textile article. While one or more of their layers may be absorbent, there is absolutely no provision or suggestion of a garment whose layering contains a biological and/or chemical decontamination reagent to chemically modify, neutralize and/or decontaminate chemical and/or biological contaminants. Furthermore, they do not disclose or suggest fibers which have micro-cavities. Nor do they disclose or suggest that their fibers contain type of additive composition within or between fibers which serve a biological and/or chemical decontamination function. The Wiedener garments merely physically deter the displacement of chemical and biological contaminants through their layering, or absorb and retain such chemical and biological contaminants therein. The substances are redistributed or absorbed in the layering, but there is no activity taught or suggested to chemically modify, neutralize and/or decontaminate a substance in textile article via chemical and/or biological decontaminants.

The examiner is also correct that Rohrbach, et al show fibers, *per se*, which entrap powders of chemical species such as sodium permanganate. However, this reference is considered to be non-analogous art since it does not even mention a composite textile article. Rather it solely pertains to a fiber mat filter device for air cleaning system and removing cabin air odor. There is no suggestion that the Rohrbach, et al powder filled

fibers could should be used to form a textile article, and certainly there is no suggestion that Rohrbach, et al powder filled fibers should be used in the Wiedener, et al structure. Even if such were hypothetically done, the claimed structure would still not be found. It is furthermore to be noted that the claimed structure requires a sealed hem around a perimeter of the sheet of central textile fabric and the pair of sheets of outer textile fabrics, which hem is sealed such that it prevents the at least one biological and/or chemical decontamination reagent from passing through the hem. While Wiedener, et al have a hem, it is not a sealed hem. It is to be noted that the Wiedener, et al seams for each of their layers are displaced (see col. 2, lines 62, et seq). so that when a substance passes through the seams of one layer it does not encounter the seams of the next layer, thereby deterring pass through. This is counter-intuitive to a sealed hem.

It is respectfully submitted that the combination of Wiedener, et al in view of Rohrbach, et al. does not suggest the instant invention and the rejection merely represents an impermissible reconstruction of the art in light of applicant's disclosure. For these reasons it is submitted that the rejection of claims 1-2, 4, 6, 8-22, 24, 26 and 28-34 under 35 U.S.C. 103 over Wiedener, et al in view of Rohrbach, et al. should be rescinded.

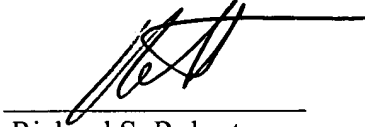
The examiner has rejected claims 3, 5, 23 and 25 under 35 U.S.C. 103 over Wiedener, et al in view of Rohrbach, et al, and further in view of Pike, et al. It is respectfully asserted that this ground of rejection is not well taken. The arguments over Wiedener, et al in view of Rohrbach, et al, are repeated from above. The examiner is correct that Pike, et al shows chemical absorbent particles within a fiber matrix. However, in this regard, Pike, et al adds nothing to Rohrbach, et al. Pike et al solely pertains to the production of a filter medium such as for HVAC filters., and this reference has nothing whatsoever to do with textiles, much less the composite textile articles of structure according to the claims. In particular neither of Rohrbach, et al. or Pike et al pertain to textile articles suitable for producing garments. As above, this reference is considered to be non-analogous art and the rejection merely represents an impermissible reconstruction of the art in light of applicant's disclosure. For these reasons it is submitted that the rejection of claims 3, 5,

23 and 25 under 35 U.S.C. 103 over Wiedener, et al in view of Rohrbach, et al, and further in view of Pike, et al. should be rescinded.

It is urged that one skilled in the art would not be imbued with an inspiration to produce the instant invention upon a reading of the Wiedener, et al, Rohrbach, et al, and Pike, et al references.

The undersigned respectfully requests re-examination of this application and believes it is now in condition for allowance. Such action is requested. If the examiner believes there is any matter which prevents allowance of the present application, it is requested that the undersigned be contacted to arrange for an interview which may expedite prosecution.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage pre-paid in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 7, 2005.



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